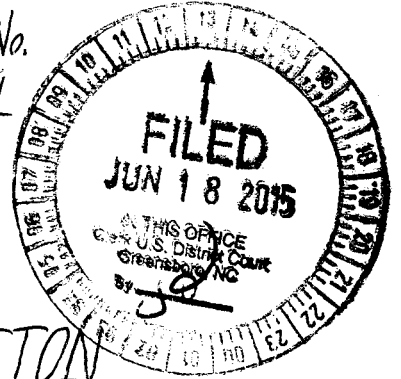


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Plaintiff, United States of America

Criminal Action No.
1:13CR435-1

v.
Defendant, Brian David Hill



REQUEST FOR EXPEDIATION OF REVOCATION HEARING - EMERGENCY REQUEST/MOTION
EMERGENCY

The Defendant asks The Honorable Judge of This Honorable Court, for a request of expeditation of the Revocation hearing to an earlier date for compelling reasons stated below, and to protect my Constitutional ^{right} to life or limb.

EMERGENCY

1. As my multiple Pro Se filings and evidence has demonstrated, that my health is deteriorating and I continue to suffer the effects of high blood sugars and Ketoacidosis. I may suffer the loss of life or limb by the medical staff of the Jail. The longer this continues without remedy, puts me at major risk of a diabetic coma, loss of eyesight, loss of Kidney function, nerve damage, and amputation of my body, which all of those is permanent damage to my body, which puts me at loss of life or limb. I already filed a Declaration with the Court after my May 27th arrest and other Declaration, all under oath and partially affirmed by Witness Roberta Hill at the Detention hearing, that proves USPD Kristy Burton lied in her testimony in the Petition for Revocation. USPD Burton lied on material fact by claiming the Clerk of Court directed me to stop sending documents to the Court, when the fact is a letter on Docket directs me to file documents by hand delivery or through Mail, to the Clerk. I have enough evidence that I violated NO CONDITION of Supervised Release and that USPD Burton lied in the Petition for Warrant... for Offender Under Supervision

2. I remember being told that it was June 25th that I would have my revocation hearing. I cannot make it to June 30th as my energy is worse, I suffer and combat against my high blood sugar every day since I been here. The nurses still refuse insulin to carb ratio and continue giving me insulin hours after I eat, and it isn't even my prescribed fast acting NovoLog insulin, but their 70/30. My A1C is high at 9.5. Even in FCI¹ Butner in 2014, my A1C tested as 10.9 in Feb. 2014 and that covered a 3-month average which covers my stay in Forsyth County Detention Center and Guilford. The evidence I filed with the Honorable Court is clear, that my health is in jeopardy. Only exercise such as walking and a lot of writing can minimize my health deterioration but my body doesn't have the energy that it did in the outside world. I am sorry Attorney Renorda Pryor for filing this Pro Se but I am suffering so much pain of nerves hurting, dehydration, skin problems, and my critical thinking has been impacted. I have absolutely no choice but to file this Pro Se and fast. I need to prove that USPO Kristy L. Burton lied in the Petition as soon as possible, so that my Supervised Release can be reinstated and penalties on Burton for lying on testimony to the Court when I complied with all of her orders. She told me to stop texting (outside of Release conditions) I stopped texting, she told forced me to get Counseling at Piedmont my private Counseling covered by my Medicaid, when I wanted to seek a new Counselor, even though Piedmont didn't really help me with my mental issues, I still went there as Ordered by Kristy Burton. Burton violated my Civil and Constitutional rights by lying in the filed Petition for revocation, then having me suffer health deterioration in the County Jail. I want mental health assistance but Burton wants to control who I see, where I get counseling at, and at my Medicaid's expense.

I'm tired of suffering in Jail^{oo}

Evidence Attached!

I'm sorry Renarda, I'm sorry Cynthia Everson, I'm sorry my family, but I have to file this to protect my health from further deterioration. In fact I'm so desperate to be free from this Jailhouse nightmare, I filed a complaint with the U.S. Department Of Justice, Office of The Inspector General begging them for withdrawing the senseless Petition and reinstating my Supervision. I attach the imperfect hand written copy of my 6-Page Complaint letter as evidence. I do put myself at risk of hurting my case with Pro Se filing but my suffering in Jail is unbearable. Common Sense tells me not to file this, not to show my hand to the enemy (U.S. Attorney), but I have no choice as ~~my~~ my body is in pain and telling me to file this. I don't understand why I have to suffer so (bleeping) much with high blood sugars while I violated no condition. I AM SUFFERING your honor.

- I should get an earlier date for my Revocation hearing. I recommend that my Revocation hearing be expediated to June 25th, 2015. I also ask that my hearing only be 1-day, that the Judgement of the matter be decided on June 25th, so that I can prove with my Attorney that I violated ND conditions, then be released to my family and Medical Caretaker Roberta Hill as soon as possible, that the Probation be penalized for their wrongful Petition filing, and that my Supervised Release ^{Office} be reinstated quickly. I beg of you to expediate my Revocation Hearing to June 25th, please.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 16, 2015.

I request with the Court, that this Emergency request be addressed on the papers. I waive my right to a hearing on this request/Motion. All my Pro Se filings is evidence (May 27 on up) for this request.

Brian D. Hill
Signed
Brian David Hill (Pro Se)
916 Chalmers St., Apt. D
Martinsville, VA 24112

CERTIFICATE OF SERVICE

I, certify that the foregoing
REQUEST FOR EXPEDIATION OF REVOCATION HEARING -
EMERGENCY REQUEST/MOTION EMERGENCY
was deposited in the institution's mailing system on June 16, 2015,
to be mailed out via United States Postal Service (USPS) to the
Clerk Of The Court to immediately assign this request/Motion to the
newly assigned Judge over my case, then notify all involved parties.

I beg the Clerk to treat this Motion as a emergency
matter and that it be assigned quickly to a Judge, then acted
upon promptly to protect my body from permanent diabetic damage.

Please rule this on the papers instead of a hearing on this specific
Request/Motion. I still wish to have my Revocation hearing but that
it expediated to June 25. My life or limb must not be put in
be further jeopardy then necessary.

Brian D. Hill
Signed

Brian David Hill (Pro Se)
Forsyth County Detention Center
201 N. Church St.
Winston Salem, NC 27101

Home:
916 Chalmers St., Apt. D
Martinsville, VA 24112

EVIDENCE ATTACHED

6 Pages - 10 Pages to file, in total.

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2015

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U.S. Department Of Justice
Office of The Inspector General

COMPLAINT

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COPY

950 Pennsylvania Ave, NW, Washington, D.C. 20510

Dear Office of The Inspector General,

I, Brian D. Hill, hereby files a complaint with your Office on United States Probation Officer Kristy L. Burton, under the Western District of Virginia, Danville Division. I also extend this Complaint to U.S. Attorney Ripley Rand of the Middle District of North Carolina, Greensboro Division, for prosecutorial misconduct which includes malicious prosecution of a person with mental and/or physical disabilities, whom is on a Virginia Medicaid waiver and SSI disability, violated no condition of Supervised Release, and thus violates my civil rights. So please forward copies of this complaint to the Executive Office for U.S. Attorney's and the Office of Professional Responsibility. USPO Burton lied on the filed Petition for Warrant or Summons for Offender Under Supervision, on Docket for the U.S. District Court for the Middle District of N.C., Greensboro Division, case # 1:13CR435-1. The lies by USPO Burton may be construed as perjured testimony since Page 2 of the Petition is declared under "penalty of perjury that the foregoing is true and correct." I request that the Petition for Warrant be withdrawn, that I am released immediately, and that my Supervised Release be reinstated during an investigation/inquiry of my complaint. I also ask for a change of Probation Officer since this complaint proceeding creates a conflict of interest between me and USPO Burton. All statements in this letter are under Oath or Affirmation that what I am writing to you is true and correct to the best of my abilities. Yes I did call her a jerk and a "asshole", yes I did get upset but I did comply with her instructions and I apologized for my behavior the day before the Petition was even filed saying that it will "not happen again." USPO is in the wrong here, Kristy Burton is in the wrong and I'll explain herein as to why.

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(1) USPO Burton spoke about my failure to attend mental health services at Piedmont Community Services in Martinsville, VA. In fact I scheduled an appointment with Kristen Patterson at Piedmont Community Services after I left a voicemail on both her cell phone and her office answering machine on April 28, 2015 with an apology for my behavior, that it will never happen, and that I will follow her orders including scheduling an appointment with Piedmont Comm. Services. I went for counseling there at May 20, 2015. Originally I was required by the Probation Officer to attend counseling services at Radford Counseling in Roanoke, VA. Piedmont was obtained by me and paid for by my Medicaid and was never started as a requirement of my Supervised Release. After she heard me planning to sue Government or U.S. Attorney, she retaliated by encroaching upon my private counseling by getting involved in my private counseling to do what I feared she would do, contaminate evidence of mental health anguish/abuse to be pro-false-conviction. USPO Burton attempted to control my counseling and deciding who I can get as a counselor to protect the interests of the corrupt U.S. Attorney in Greensboro, NC. I filed Pro Se Motions and filings that I did ~~attempted~~ attend counseling yet Burton never asked to withdraw her Petition. Why would I be mandated to attend my private counselor when I was already required to attend Radford Counseling? Because she knew that I was wrongfully convicted and attempted to overturn my conviction (Appeal 15-4057, 4th Circuit) so she attempted to protect the U.S. Attorney's wrongful and malicious prosecution when I am Innocent of the charge.

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2015

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(2.) USPO Burton claimed that "The U.S. District Court Clerk's Office had directed Mr. Hill to cease this behavior, however, he had not complied." She was referring to the sending of documents to the Court through my Cellular Phone using Multimedia Messaging Service (MMS) (See Doc #87). I agreed with the Clerk to stop filing documents with my Cell Phone but I still have the right to file documents through U.S. Postal Service mailings. Burton lied on material fact since the Clerk directed me to file documents properly which I had agreed to already before I even saw USPO Burton on April 28, 2015. I even agreed with USPO Burton that I wouldn't send text messages with the court. Then she told me outside of my Release conditions that I cannot text message my friends nor my lawyer. I was told that I cannot text message anybody anymore. I DID comply with her order not to text message anybody anymore. My Mother sent a text through my phone to Stewart Rhodes of OathKeepers.org, however I still sent no text message since USPO Burton ordered me so. I complied with the Clerk's Office, I complied with USPO Burton's orders not to text the court and not to text message anybody.

(3.) USPO Burton claimed that I am a danger to the community yet she approved of my faxed "Request To Travel" in May 2015 to visit grandad James Mercer and Kay Marin in Snow Camp, NC for my Mother's birthday. I continued my counseling at Piedmont Comm. Services. I am not a danger to the community. Burton even admitted on June 11, 2015 at the Probable Cause hearing that she didn't understand Autism, nor did she understand my mental health issues otherwise she would not go as far as a Arrest Warrant, and revocation. Autism is not the same as non-compliant criminal behavior and should not be treated as such, yet Burton treated me as a regular non-compliant [3.] criminal without Autism.

So the Court recommends that I be placed on Supervised Release due to my mental and physical health conditions, yet one little outburst where nobody is injured and she is ready to revoke my Supervision up to two years in prison when she knows I have mental health issues which are neurological. She does not know what she is doing. She does not know how to deal with mental health issues then treats it as non-compliant criminal misconduct that warrants a prison sentence. The Probation Officers apparently need need Autism training, sensitivity training, and need to know how to supervise the mentally ill and disabled. I didn't fail to comply with Burton, but she failed me and my family for how she treated me.

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My blood sugar was high, I had over-anxiety and high amounts of stress over my criminal case, worrying about it, and still have stress over my case.

I tried to leave the room to do my insulin shot and calm myself down but Burton wouldn't let me. When I lost it, I never tried to harm anybody in the room. I made sure to not attempt to harm anyone. Broken dishes or objects can be replaced. I only hurted myself in that tantrum. It would have been more appropriate for Burton to have me temporarily temporarily committed to a mental hospital instead of trying to imprison me. Burton doesn't care about my physical and mental health problems, she only cares about herself.

(4.) Overall I violated no condition of Supervised Release. Text messaging and MMS is not the same as internet email. Texting does not require a server and client as with email, it is similar to fax machines. You can send and receive messages but no server is needed. USPO Burton allowed my texting for months and faxing, then after the dishonorable Judge William Lindsey Osteen Junior called Burton and complained about my texting, then boom I was not allowed to text message anybody anymore. Texting is not the same as using the internet, I know they [4] are both different things.

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2015

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(5.) Evidence of USPO Burton lying is based on testimony me and three witnesses can provide. Records from Radford Counseling (Roanoke, VA), Piedmont Community Services (Martinsville, VA), my records (which I'll be happy to provide to your Agency) including Fax records, my Mother's email records, and any other records that I can fax to your Office upon my release. I am attempting to request Transcripts of both Probable Cause and Arraignment hearings. My Mother's testimony under Oath along with my testimony under Oath (Declaration) proves that I did get upset because USPO Burton told me to not text message anybody anymore outside of my Release conditions I had agreed to, after allowing me to text message for months. However I still complied and haven't sent a text message since I was ordered by USPO Burton, even though my only crime was calling her a jerk, a "asshole", and having a tantrum where nobody got hurt while she already knows I have Autism but doesn't understand Autism, and for being diagnosed with Intermittent Explosive Disorder. My Counselor at Piedmont comm. Services wasn't really helping me so I sought another counselor but USPO Burton saw to that, and made sure that I pay for only Piedmont and not allowed independant counseling which documents my over-anxiety and mental anguish/abuse caused by the U.S. Attorney in Greensboro, NC. USPO Burton doesn't want to let my conviction go, she doesn't want me text messaging anybody anymore after crooked Judge Osteen was through with her, then she covers that up in her testimony by claiming it was only a issue with sending documents to the Court when mailing the Court is my legal right. Agents of the DOJ need to investigate USPO Burton, then charge her with false witness testimony and covering up her order/instruction of not being allowed to text message anybody anymore, [5.] which I complied

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June 13,
2015

Conclusion

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Ladies and Gentlemen of the DOJ, United States Probation Officer Kristy L. Burton lied in testimony to the Court, I violated no conditions, she covered up her original instructions, did not know how to do her job with Supervising an Autistic person, and she may have perjured herself since her testimony was under Declaration/Oath in Page 2 of the Warrant Petition.

As a repercussion of her misconduct, I have suffered diabetic health deterioration, which I filed on record Pro Se, and my hemoglobin A1C has risen from est. 8 to 9.5 in the few weeks of incarceration. My health continues deteriorating in Forsyth County Detention Center and even to this very day.

Despite both testimony from me and my Mother that USPO Burton lied and did not disclose her real order of not being allowed to text message anybody, despite what is on record and my health deterioration, the U.S. Attorney has continued it's unjust and malicious prosecution against me till this day. I pray for relief from the U.S. Attorney and USPO Burton, that they be penalized for their misconduct. The U.S. Attorney is repeating his malicious prosecution just like in my original charge. My health deterioration caused (in part) my false guilty plea along with ineffective counsel and my family being manipulated to tell me to falsely plead guilty.

There needs to be an inquiry/investigation into USPO Burton and U.S. Attorney Ripley Rand please. I pray for relief, I beg of the U.S. DOJ. Thank You.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 13, 2015.

DO NOT MAIL
ME IN JAIL

Please MAIL:
916 Chalmers St, Apt. D
Martinsville, VA 24112

Brian D Hill
Signed

Brian David Hill (Pro Se)
Forsyth County Detention Center
201 N. Church St, Winston Salem, NC

[6]

Brian David Hill #1908253
Forsyth County Detention Center
201 N. Church St.
Winston Salem, NC 27101

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GREENSBORO, NC

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L. Richardson Preyer Federal Building
U.S. District Court
ATTN: Clerk of The Court (Emergency)
324 W. Market St., Suite 1100
Greensboro, NC 27401

IMMEDIATE MAIL

LEGAL MAIL